



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS, RECOMMENDATION AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3012980
Applicant Name: John Torrence of LIHI
Address of Proposal: 2014 Northwest 57th Street

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a six-story, mixed use building with 51 residential units and 1,878 sq. ft. of general retail sales and services.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
☒ DNS with conditions*
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

* Notice of the Early Determination of Non-significance was published on June 21, 2012 and then re-noticed on November 15, 2012.

BACKGROUND INFORMATION

Initially, the applicant applied for a mixed use building to house low-income elderly and an urban hygiene center (known as the Urban Rest Stop). The hygiene center, which would provide laundry and bathing facilities for its clients, would occupy approximately 1,900 square feet on the first floor of the structure. During the Master Use Permit (MUP) review process, DPD conducted a public meeting to receive comment on the project. The September 19th, 2012 meeting had an attendance of a minimum of 34 people who had affixed their names to the sign-in sheet. By November 15, 2012, the applicant requested that DPD change the use from a community center (the hygiene center) to general retail sales and service, which allows for a

commercial retail oriented tenant in the space. DPD re-noticed the application on November 15th. The comment period was later extended upon request by two weeks to December 12, 2012. Although this MUP Decision discusses the hygiene center in places due to the fact that the two design review meetings occurred prior to the requested change in the use of 1,900 square feet, the environmental review focuses on the potential impacts of the 51 residential units and the retail use. The applicant did not change the proposed design of the exterior portion of the 1,900 sq. ft. space when the use was revised.

DPD received over 50 letters and numerous phone calls in addition to the comments at the public meetings. The comments and questions overwhelmingly focused on the impacts to the community of the hygiene center and to a lesser extent on the lack of parking for the residents and guests of the housing component. The comments on the hygiene center broadly centered on the following issues: the hygiene center's (Urban Rest Stop) incompatibility with the senior housing; lack of off-street parking for both the URS and the housing component; noise caused by patrons of the URS who queue to enter the facility; congestion on neighborhood sidewalks; health, safety and security concerns; and trespassing. Other issues include the structure's blockage of views and natural light, lack of a setback on NW 57th St. and the need for a greenway. A letter requested that DPD determine that the proposal warranted a "determination of significance" requiring an EIS. At least one letter supported the project. After the applicant changed the use from a community center (the hygiene center) to retail, one letter discussed zoning issues including parking requirements.

PROJECT DESCRIPTION

The proposed project is for the design and construction of a mixed use building with approximately 51 residential units (low-income, elderly) located above 1,878 sq. ft. of ground level general retail sales and services. No parking is proposed.



Level 1



Level 1

The first scheme (Option A) showed the allowable building envelope: below 42' the side yards are an average 7' wide; above 42' the side yards are an average of 10' wide. The maximum amount of 2' projecting bays located on no more than 30% of the façade are utilized to modulate the mass of the building on all façades. The building entry is defined by a shallow solid canopy near the center of the street façade. The secondary building entry for the urban rest stop also has a canopy cover, with the entry door along the west façade. Roof parapets are maintained at an even height.

The second scheme (Option B) showed a 10' average side setback for the full height of the building and includes strategically placed two foot projecting bays at specific living room areas and the bays modulate the mass of the building. The building entry is defined by a shallow



Concept B

solid canopy at the center of street front façade and a secondary building entry with a canopy for the urban rest stop along the west façade. The East half of the street facade has been recessed to create a covered ‘front porch’ that adds tenant outdoor open space next to the sidewalk.

The third and preferred scheme (Option C) showed a 10’ average side setback for the full height of the building and includes strategically placed 2’ projecting bays that are grouped to create a variety of bay element proportions and to modulate the building in proportion to the full building façade. The building entry is defined by a 6’ deep full height building recess and a solid canopy. This recessed modulation effectively divides the front façade into two unequal smaller façade masses. The secondary building entry for the urban rest stop also has canopy cover, and the entry door is along the west façade. Building sections between projecting bays have a lower parapet level to further reinforce the distinctly separate building masses. A design departure is required to conjoin the bays beyond a 10’ maximum width.

By the Recommendation meeting, the applicant had refined the massing and provided greater design detail. The applicant brought a portion of the front façade forward to the property line to produce more modulation on the elevation and further separate the entrances to the residential use and the hygiene center.

SITE & VICINITY

Located in Ballard mid-block on NW 57th St. between 20th Ave. NW and 22nd Ave NW, the 10,000 square foot rectangular site lies within a multi-family Midrise, Residential-Commercial (MR-RC) zone and within the Ballard Hub Urban Village. The terrain’s declension, roughly five feet, occurs from north to south. The vacant site has no mapped environmentally critical areas (ECA).

Multifamily development occurs to the east, west and north of the site. Across NW 57th St to the south are a pay, surface parking lots associated with a mortuary, a mixed use project under construction, the Ballard Library as well as several one-story commercial structures. To the north lies two and three story apartment buildings and a church complex. Immediately to the north of the site’s property line, the zoning transitions to a multifamily Lowrise (LR) zone. The corner parcel at NW 58th St. and 20th Ave NW has an added (RC) designation, which allows small commercial uses. The MR-RC zone extends along the north side of NW 57th St. from 22nd Ave NW to 17th Ave NW. On the south side of NW 57th St and extending beyond NW Market St, a Neighborhood Commercial with a 65 foot height limit (NC3 65) zoning classification predominates.

ANALYSIS - DESIGN REVIEW

Public Comments

Approximately 15 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Concerned with the lack of parking proposed. Would like to see parking included in the project.
- Suggested considering the street as a greenway for people, a corridor friendly to bikes, feet and strollers.

- Concerned with security and loitering.
- Suggested Good Neighbor Plan be developed.
- Supported separate entrances for the Urban Rest Stop.
- Opposed proposed hygiene center.
- Concerned about garbage collection and access at the site.
- Suggested avoiding a design with recessed areas that might encourage loitering.
- Support project design and intent.
- Suggested inclusion of storage space for the belongings of hygiene center visitors while using the facilities.
- Noted that the north elevation is visible to neighbors to the north and would like to see a dense landscape plan and fencing that buffers and provides privacy between buildings.
- Concerned about the loss of sunlight from the new building to the units to the north.
- Suggested a solid fence to protect privacy on all three sides of the site.
- Would like to see more height, bulk and scale transition to the existing scale of the surrounding buildings.

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle's "Design Review: Guidelines for Multi-family and Commercial Buildings".

PRIORITIES

BULK & SCALE: The Board agreed that the perceived massing should be further broken down. The Board provided the following guidance:

1. Reduce the front setback to hold the street edge to develop a more urban condition. The area gained by encroaching into the front yard should be reflected with greater upper level setbacks. Suggested stepping back the after the first or second stories to reduce the scale and better relate to the pedestrian environment. Request departure if necessary. (A-2, B-1, C-3)
2. Suggested flipping the floor plan to soften impacts to the north and east. (B-1)

SITE PROGRAMMING: The Board noted the challenge of incorporating a variety of programming within a relatively small site; sensitivity towards neighbors and locating compatible functions together and away from less compatible ones is encouraged. The Board provided the following guidance:

3. The design of the Urban Rest Stop should include space for queuing/waiting to occur internally with an interior waiting room, so customers are able to avoid congregating in front of the building. (A-5)
4. The service elements (trash, recycling) should be separate from the entry spaces. (D-6)
5. It is critical that functions which are not compatible be physically separated. (D-1)
6. In order to discourage outdoor storage of belongings, the design of the Urban Rest Stop should include secured space for the storage of belongings by customers while receiving services. (D-1)

RELATIONSHIP TO CONTEXT: The streetscape should be designed to enhance the pedestrian experience. The Board provided the following guidance:

7. Shift more trees and vegetation to the SE corner in the side yard to create better screening and privacy buffers between buildings. (A-5, E-2)
8. Provide an exterior lighting plan that provides safety and aesthetic enhancements. (A-3, D-7)
9. Fenestration should be designed to avoid direct views into neighboring units. The next meeting should include a study of the window locations of adjacent buildings and demonstrate how this has informed the proposed design. (A-5)
10. All entries should be inviting, gracious, safe and respectful. (A-2, D-1)
11. The street trees should be continued and enhanced with an enhanced planting strip. (E-1)

ARCHITECTURAL DESIGN: The Board looks forward to further development of the early design concepts. The Board provided the following guidance:

12. The Board was pleased with the early direction of the architectural concept. (C-2)
13. The Board looks forward to reviewing detailed color and material board. (C-4)
14. Include an overhead canopy at the front entry. (C-3, D-1)

OTHER: The Board provided the following guidance:

15. The next meeting should include detailed elevations.
16. The Board encouraged departure requests to solve some of the issues raised.

Site Planning

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- West, North and East sides of the park: Buildings are encouraged to create a consistent two-story street wall with ground related entries. Development above the base should be set back and/or modulated to increase solar exposure to the street and other public places.
- South side of the park: Cultural and civic uses are planned in this area. However, if mixed use development occurs, a consistent street wall with a two story minimum base is encouraged. Development should be set back above the two story height and/or modulated in a manner that enhances solar exposure to the park.

- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- West, North and East sides of the park: Townhouse style design is appropriate at street level adjacent to the park. Residential developments that provide units that directly access the public right-of-way are preferred since they help enliven the street environment. Sidewalk-related spaces should appear safe and welcoming.

- South side of the park: If mixed use development occurs around the park, it is desirable to provide active storefronts along the entire south edge of NW 57th Street, west of 22nd Avenue NW, and a consistent street wall with a two-story minimum height.
- Mixed Use and Residential on East-West Streets: Buildings should maintain a consistent street wall up to a minimum of two story development and provide a setback(s), particularly on the south side of the street, beyond three stories to enhance solar access to the street and avoid a ‘canyon’. Deviations from the consistent street wall should be allowed for public usable open spaces. Where appropriate, mid-block pedestrian connections are strongly encouraged. The Design Review Board may consider a departure to reduce open space requirements in exchange for a mid-block pedestrian connection. Such spaces shall be sited and designed in a manner that are clearly public in nature and engaging to pedestrians.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- West side: Access to the front doors of townhouse residences should be provided via a paved and well lit pedestrian connection. The non-residential development west of the park should provide at least two separate retail entrances on 24th Avenue NW. Residential access (both vehicular and pedestrian) is most appropriate on NW 58th Street.
- Streets: The mid block pedestrian connection should foster social contact in a safe environment. New development is highly encouraged to front retail and/or townhouse style units on the mid block connection at street level. To further promote vitality and safety in the pedestrian experience, entries to retail and townhouse units should be placed in an identifiable and engaging manner.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- South side: Setbacks from the property line should be allowed up to ten feet consistent with pedestrian zoning requirements for outdoor activity.
- Mixed Use Development on Avenues: Commercial uses are encouraged to setback in order to provide opportunities for pedestrian activities where appropriate.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- West, North and East sides of the park: In general, the overall development massing should maximize the solar access to the park through careful massing arrangement of the upper levels, set back above a two-story base containing townhouse style units.
- South side of the park: Civic and cultural uses are anticipated to be developed along the south edge of the park. However if mixed use development does occur, it should provide a consistent street wall with a two-story minimum height. Development should be set back above the two story height and/or modulate the facade to enhance solar exposure to the park.
- Mixed Use Development on North-Side Avenues: Buildings should maintain a consistent street wall up to a minimum of two stories and provide a setback(s), particularly on the west side of the avenue, beyond three stories to enhance solar access to the street and avoid a ‘canyon’ effect.
- Mixed Use and Residential Development on East-West Streets: Same as above, except with setbacks particularly on the south side of the street beyond three stories to enhance solar access to the street. Buildings should provide façade modulations that break down the scale of larger developments to recall the underlying original 50’ parcel widths.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

Ballard-specific supplemental guidance:

Institutional Development: The design of institutional buildings should be distinguished from commercial and residential buildings by location on the site, materials and massing. A building with public uses should exhibit a civic presence through careful attention to its relationship with the public realm. A primary entrance, building form, and architectural elements should be designed and scaled to reflect the public activities contained within.

- C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Ballard-specific supplemental guidance:

New development should exhibit craftsmanship through the use of durable, attractive materials. Building materials and interesting details found on older buildings on Market Street and the Ballard Avenue Landmark District should be recalled.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Ballard-specific supplemental guidance:

- Guidelines: New development is encouraged to contribute to a mid-block, north-south connection system for pedestrians. Active, pedestrian-oriented commercial design and/or ground related town house units are encouraged to extend from the street facing facade and front the pedestrian connection path, thereby contributing visual interest and more opportunity for social contact.
- Mixed Use Development: Continuous overhead weather protecting canopies are encouraged on buildings adjacent to the sidewalk. Transparent or translucent canopies along the length of the street provide welcome weather protection, define the pedestrian realm, and reduce the scale of taller buildings.

- D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Ballard-specific supplemental guidance:

Service areas, loading docks and refuse should be internal to the development or carefully screened, especially on sites directly adjacent to the park.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

E. Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.
- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

MASTER USE PERMIT APPLICATION

The applicant revised the design presented at the EDG meeting and applied for a Master Use Permit with a design review component on June 1, 2012.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on September 24, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Thirteen members of the public affixed their names to the Recommendation meeting sign-in sheet. The public addressed the following issues:

- The Urban Rest Stop is an institutional use and, therefore, should be reviewed as an administrative conditional use. It does not meet the ACU's dispersion requirement as the Ballard Library lies within 600 feet of the subject site.
- The proposed development should provide parking.
- The fence on the west property line should be opaque for the length of the property.
- At the EDG, the Board requested a greater setback on the west. The building would need to step back from the property line.
- The homeless will use the front porch area for sleeping. This area needs to be more secure.
- The applicant has not placed dimensions on any of the drawings in the Recommendation packet. It is difficult to determine the depth of the setbacks.
- The setback on the upper floor is immaterial to the canyon the building help create.
- The MUP plans and the drawings in the Recommendation packet do not appear reconciled. The setbacks appear to have discrepancies.
- How will the rain barrels on the roof work?
- The homeless will sleep under the canopies.
- When does the security gate open in the morning?
- There is insufficient space for queuing. At the Urban Rest Stop on Ninth Ave and Virginia, we counted 39-55 people waiting. People overflow onto the street.
- The applicant needs a better gauge to determine demand. How can you base the exterior queuing area and the interior area on the evidence of one other facility?
- Create a designated smoking area.
- People will congregate by the large window in front and smoke there.
- The overall building design is nice.
- Safety and security is paramount. The perimeter should have ten foot fences.
- The seniors must feel safe. They are a vulnerable population.
- The building blocks more than half the view from the adjacent corner townhouse. The building will block sunlight and make the townhouses darker.

Written Comments. One letter received at the Recommendation meeting explained that the Urban Rest Stop is classified as an institutional use and because it does not meet development standards must be reviewed as an Administrative Conditional Use (ACU).

One speaker submitted a photo of the queue at the 9th and Virginia Urban Rest Stop.

A	Site Planning
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A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- **West, North and East sides of the park:** Buildings are encouraged to create a consistent two-story street wall with ground related entries. Development above the base should be set back and/or modulated to increase solar exposure to the street and other public places.
- **South side of the park:** Cultural and civic uses are planned in this area. However, if mixed use development occurs, a consistent street wall with a two story minimum base is encouraged. Development should be set back above the two story height and/or modulated in a manner that enhances solar exposure to the park.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

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- **South side of the park:** If mixed use development occurs around the park, it is desirable to provide active storefronts along the entire south edge of NW 57th Street, west of 22nd Avenue NW, and a consistent street wall with a two-story minimum height.
- **Mixed Use and Residential on East-West Streets:** Buildings should maintain a consistent street wall up to a minimum of two story development and provide a setback(s), particularly on the south side of the street, beyond three stories to enhance solar access to the street and avoid a ‘canyon’. Deviations from the consistent street wall should be allowed for public usable open spaces. Where appropriate, mid-block pedestrian connections are strongly encouraged. The Design Review Board may consider a departure to reduce open space requirements in exchange for a mid-block pedestrian connection. Such spaces shall be sited and designed in a manner that are clearly public in nature and engaging to pedestrians.

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- **Streets:** The mid block pedestrian connection should foster social contact in a safe environment. New development is highly encouraged to front retail and/or townhouse style units on the mid block connection at street level. To further promote vitality and safety in the pedestrian experience, entries to retail and townhouse units should be placed in an identifiable and engaging manner.

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- **Mixed Use Development on Avenues:** Commercial uses are encouraged to setback in order to provide opportunities for pedestrian activities where appropriate.

Responding to public comment focused on the homeless sleeping under canopies and other outdoor sheltered places, the Board considered various options to alleviate the problem. The Board recommended among other ideas that high intensity illumination could be installed underneath the canopies along the front of the building. Several other design techniques may deter sleeping in these locations as well. The applicant will need to work with the Land Use Planner to achieve an acceptable solution. The Board did not want the installation of trellises or porous canopies.

The Board noted the paucity of empirical data regarding the number of clients expected to use the hygiene center. Client queuing for the hygiene center along the west side of the building would reduce the number of people waiting on the sidewalk. Adequacy of this area's capacity was questioned by the Board due to the lack of thorough analysis (applicant verbally provided information on one other hygiene center). The Board observed that the exterior waiting area could potentially expand into the contiguous residents' terrace area located on the property's northwest corner.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

Discussion focused on the windows placement on the east façade. The floor lines of the townhouses do not align with those of the proposed building. The Board did not see an overriding need to change the fenestration pattern or to alter the size or transparency of the windows.

B. Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

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- **Mixed Use and Residential Development on East-West Streets:** Same as above, except with setbacks particularly on the south side of the street beyond three stories to enhance solar access to the street. Buildings should provide façade modulations that break down the scale of larger developments to recall the underlying original 50’ parcel widths.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

Ballard-specific supplemental guidance:

Institutional Development: The design of institutional buildings should be distinguished from commercial and residential buildings by location on the site, materials and massing. A building with public uses should exhibit a civic presence through careful attention to its relationship with the public realm. A primary entrance, building form, and architectural elements should be designed and scaled to reflect the public activities contained within.

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Ballard-specific supplemental guidance:

- **Guidelines:** New development is encouraged to contribute to a mid-block, north-south connection system for pedestrians. Active, pedestrian-oriented commercial design and/or ground related town house units are encouraged to extend from the street facing facade and front the pedestrian connection path, thereby contributing visual interest and more opportunity for social contact.
- **Mixed Use Development:** Continuous overhead weather protecting canopies are encouraged on buildings adjacent to the sidewalk. Transparent or translucent canopies along the length of the street provide welcome weather protection, define the pedestrian realm, and reduce the scale of taller buildings.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Ballard-specific supplemental guidance:

Service areas, loading docks and refuse should be internal to the development or carefully screened, especially on sites directly adjacent to the park.

- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

See A-4 and E-1 guidance.

- D-10 Commercial Lighting.** Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

E. Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board's recommended condition stipulates the installation of an opaque fence for the full extent of the entire west property line.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the September 24th, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the September 24th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Midrise Setbacks SMC 23.45.518 Table B	Front setback 7' average; 5' minimum.	Front Setback 5.66' average; zero foot minimum.	<ul style="list-style-type: none"> At the EDG meeting, the Board requested a reduction in the setback to hold the street edge to encourage a more urban streetscape. A-2, B-1, C-3 	Approved
2. Midrise Setbacks SMC 23.45.518 Table B	Rear setback is 15'.	15.64' average; 12.08' minimum setback.	<ul style="list-style-type: none"> Modulates the structure on the north elevation. (B-1) 	Approved
3. Projection in setbacks. SMC 23.45.518H	Canopies may project into required setbacks a maximum of 4' if they are no closer than 3' to any lot line.	<p>The entrance canopy to the senior residence projects 12" over the property line.</p> <p>The entrance canopy to the Urban Rest Stop projects 2'6" over the property line.</p>	<ul style="list-style-type: none"> At the EDG meeting, the Board encouraged the applicant to add an overhead canopy at the front entry. (C-3, D-1). Canopies add human scale to the streetscape and signifies the separate entrances. 	Approved
4. Structure Depth SMC 23.45.528B	The depth of the structure shall not exceed 75% of the depth of the lot.	Overall depth would equal 87'4", a 16.4 % increase.	<ul style="list-style-type: none"> Provides greater modulation at the structure's front and rear. (B-1) Provides separate entrances areas for the two uses. 	Approved
5. Solid waste storage area. SMC 23.54.040/23.41.012B.15	For dwellings with 9 units or more, the minimum horizontal dimension is 12'	9'7" by 17'8". Total area is greater than minimum required. Adds smaller waste storage areas on each floor.	<ul style="list-style-type: none"> Solid waste storage area is well hidden from street and enclosed within structure. (D-6) 	Endorsed alteration of solid waste storage area dimensions. Type I Decision.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Install high intensity illumination underneath the canopies along the front of the building. Several other design techniques may also deter sleeping in these locations. The applicant must work with the Land Use Planner to achieve an acceptable solution. (A-4)

2. Install an opaque fence for the full extent of the entire west property line. (E-1)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 30, 2012. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction

activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts.

Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately four feet and will consist of an estimated 494 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

Duration of construction of the apartment building may last approximately 14 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 494 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 50 round trips with 10-yard hauling trucks or 25 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts and public view protection warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Transportation

The small amount of traffic generated by the low-income elderly housing and the commercial component would not be significant enough to produce any change in level of service to the nearby intersections. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

The transportation consultant generated a parking demand rate based on similar existing facilities. The consultant determined an average demand of 0.21 vehicles per residential unit. Applying this figure to the 51 units, the consultant calculated the parking demand to be 11 vehicles parked by staff, residents, visitors and others on a daily basis. An analysis of on-street and nearby surface parking lots indicates that sufficient parking would be available during the day and evening to accommodate the parking demand generated by the facility.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Install high intensity illumination underneath the canopies along the front of the building. Several other design techniques may also deter sleeping in these locations.
2. Install an opaque fence for the full extent of the entire west property line.

Prior to Building Application

3. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

4. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

5. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

7. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS – SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

8. Provide a construction worker parking plan with the intent to reduce on-street parking.

During Construction

9. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
10. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

- C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
11. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
12. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce P. Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: _____ (signature on file) Date: January 24, 2013
Bruce P. Rips, AAIA, AICP
Department of Planning and Development

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